

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE COMMISSIONER OF PATENTS AND TRADEMARKS

In re Guitierrez et al.)

Application No. 10/727,941)

Filed: December 4, 2003)

Appeal No. 2009-009811)

ORDER GRANTING REQUEST TO RESCHEDULE ORAL HEARING

An oral hearing before a merits panel of the Board of Patent Appeals and Interferences had been set for Tuesday, February 10, 2011. The notice setting the hearing was mailed to Applicants on January 3, 2011. The date Applicants received the notice is not apparent from the record. On January 26, 2011, a facsimile letter styled "Request to Reschedule Oral Hearing" was filed, Applicants requested that the oral hearing be rescheduled. The request has been approved.

According to counsel:

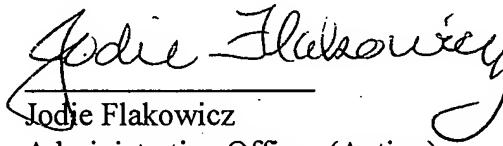
[He] The undersigned attorney of record for the appellants, was planning on the inventor, Dr. Jacob Emert, to accompany him to the hearing to act as a technical expert. Unfortunately, Dr. Emert will be out of the country at the time of the hearing. I therefore respectfully request that the hearing be rescheduled.

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For the reason given above, it is:

Ordered that the request to reschedule the oral hearing granted. No further request for postponement will be permitted. Any further request for postponement will be treated as a waiver of the Request for Oral Hearing.

BOARD OF PATENT APPEALS
AND INTERFERENCES



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